

Coke, J

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x  
RFP LLC,

Plaintiff / Counterclaim Defendant,

v.

SCVNGR, INC.,

Defendant / Counterclaim Plaintiff.

-----x  
SCVNGR, INC.,

Third-Party Plaintiff,

v.

BARRY ROSENBLOOM,

Third-Party Defendant.

-----x  
Defendant/Counterclaim Plaintiff/Third-Party Plaintiff SCVNGR, Inc. ("SCVNGR"),

Plaintiff/Counterclaim Defendant RFP LLC ("RFP"), and Third-Party Defendant Barry Rosenbloom ("Rosenbloom") (collectively, the "Parties") do hereby stipulate and agree that Brian D. Caplan ("Caplan") of Caplan & Ross, LLP is duly authorized to accept service of the Third-Party Complaint on behalf of Rosenbloom and Caplan accepted such service on behalf of Rosenbloom on November 19, 2010. The Parties also stipulate and agree that RFP shall have up to and including December 30, 2010 to serve its response to the Counterclaims filed by SCVNGR in the above-captioned case pursuant to Federal Rule of Civil Procedure 12, whether by motion to dismiss, reply, or other motion permitted under Rule 12, and that Rosenbloom shall have up to and including December 30, 2010 to serve his response to the Third-Party Complaint filed by SCVNGR in the above-captioned case pursuant to Federal Rule of Civil Procedure 12, whether by motion to dismiss, answer, or other motion permitted under Rule 12.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>12/3/10</u>
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10 Civ. 8159 (DLC)

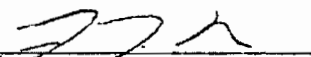
**STIPULATION AND  
[PROPOSED] ORDER  
REGARDING  
ACCEPTANCE OF  
SERVICE OF PROCESS  
AND EXTENSION OF  
TIME TO RESPOND TO  
COUNTERCLAIMS AND  
THIRD-PARTY  
COMPLAINT**

As grounds for this stipulation and proposed order, the Parties state the following: (1) SCVNGR filed its Counterclaims and Third-Party Complaint on November 19, 2010; (2) counsel for Rosenbloom, Caplan, has accepted service of the Third-Party Complaint on behalf of Rosenbloom and agrees that there is no need to make formal service of process; and (3) due to the holiday season, the Parties agree that RFP and Rosenbloom require 30 days from the date of this stipulation to respond to the Counterclaims and Third-Party Complaint, respectively. Accordingly, the Parties hereby request that RFP's and Rosenbloom's respective deadlines to file responses to the Counterclaims and Third-Party Complaint be extended until December 30, 2010.

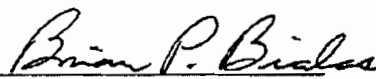
This stipulation is submitted without prejudice to any claims or defenses available to RFP, Rosenbloom, or SCVNGR under the Federal Rules of Civil Procedure or other applicable law.

*So ordered.*  
*James C. Ke*  
*Dec. 2, 2010*

Respectfully submitted,

By:   
Brian D. Caplan  
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Defendant RFP LLC and Third-Party  
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Attorneys for Defendant/Counterclaim  
Plaintiff/Third-Party Plaintiff  
SCVNGR, Inc.

Dated: December 1, 2010

SO ORDERED this \_\_ day of \_\_\_\_\_, 2010:

\_\_\_\_\_  
Hon. Denise L. Cote  
United States District Judge

